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8                   UNITED STATES DISTRICT COURT  
9                   WESTERN DISTRICT OF WASHINGTON  
10                  AT SEATTLE

11                  DOMINGO MONTAR-MORALES,

12                  Petitioner,

13                  v.

14                  MICHAEL OBENLAND,

15                  Respondent.

16                  CASE NO. C19-1811 MJP

17                  ORDER DENYING MOTION FOR  
18                  AN EXTENSION OF TIME

19                  This matter comes before the Court upon Petitioner Domingo Montar-Morales's Motion  
20 to Extend Time to File his Notice of Appeal. (Dkt. No. 26.) Having read the Motion and the  
21 relevant record, the Court DENIES the Motion.

22                  In a civil case, the notice of appeal must be filed within 30 days after entry of the  
23 judgment appealed from, except in a limited number of situations not applicable here. Fed. R.  
24 Civ. P. 4(a)(1)(A). The Court may extend the time to appeal if:

- 25                  (i)        a party so moves no later than 30 days after the time prescribed by this Rule 4(a)  
26                  expires; and

- (ii) regardless of whether its motion is filed before or during the 30 days after the time prescribed by this Rule 4(a) expires, that party shows excusable neglect or good cause.

Fed. R. Civ. P. 4(a)(5). In this case, the Court entered judgment on October 28, 2020 and Petitioner did not file his Motion for an Extension of Time until January 27, 2021, 91 days after judgment was entered. (Dkt. Nos. 25, 26.) Petitioner’s Motion was therefore filed well outside the bounds of the rule and the Court therefore DENIES the Motion.

The clerk is ordered to provide copies of this order to all counsel.

Dated January 29, 2021.

Wesley P. Lehman

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**Marsha J. Pechman**  
United States Senior District Judge